

REMARKS

Upon entry of the amendment in this response, claims 1-39 remain pending. In particular, Applicants have cancelled claims 40-46, and have amended claims 1, 3, 6, 9, 11, 14, 16, 18, 23, 25, 27, 28 and 32 without waiver, disclaimer or prejudice. Applicants reserve the right to pursue the subject matter of these cancelled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the cancelled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

Nonstatutory Double Patenting rejection

Claims 14, 17, 28, 31 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 8-14 of copending Application No. 10/443,359. This rejection is respectfully traversed.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant Application, attached herewith is a Terminal Disclaimer which obviates all of the foregoing double-patenting rejections. Entry of this Terminal Disclaimer and withdrawal of these rejections are respectfully requested.

Therefore, Applicants respectfully assert that these claims 1-39 also are in condition for allowance.

CONCLUSION

In view of the foregoing, it is believed that all pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the

examination of the above-identified patent application, the Examiner is invited to call the undersigned.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,

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